

**Before the State of South Carolina
Department of Insurance**

In the matter of:

Larry G. Ballard

6701 Dorchester Rd., Apt. 117
North Charleston, SC 29418

SCDOI File Number 14-4375

Affidavit of Default

Personally appeared before me David E. Belton, who, being duly sworn stated that at all times relevant to this Affidavit of Default he was the attorney representing the State of South Carolina Department of Insurance (the Department) in this administrative action. He further stated the following:

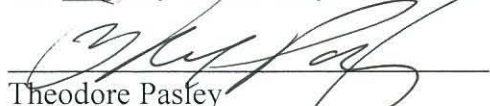
The Department served notice on Larry G. Ballard at the address detailed above by an Order Revoking his Resident Producer License and Notice of Opportunity for a Public Hearing that the Department would request the Director of Insurance to summarily revoke his license to act as a resident producer within the State of South Carolina in thirty (30) days. The Department served that notice, pursuant to S.C. Code Ann. § 38-3-170 (Supp. 2004), by "depositing it in the United States mail, postage prepaid, addressed to the last known address of the person and registered with the return receipt requested." That letter further notified Larry G. Ballard of his opportunity, within thirty days, to request in writing a public hearing.

The Department mailed the notice concerning the right to a hearing by certified mail, return receipt requested, and by regular mail, on or about December 17, 2014. The certified letter was returned by the USPS marked, "Unclaimed" January 28, 2015 and the regular mail was never returned. Larry G. Ballard has made no request for a public hearing or any other response to the notice. The time in which to do so has expired. He is now in default.



David E. Belton
Senior Associate General Counsel
South Carolina Department of Insurance
Post Office Box 100105
Columbia, South Carolina 29206
(803) 737-6158

Sworn to and subscribed before me
this 3rd day of February, 2015



Theodore Pasley
Notary Public for the State of South Carolina
My Commission Expires: August 12, 2018

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**Default Order Revoking
All Licensing Privileges
License #153788**

This matter comes before me pursuant to the Order and Notice of Opportunity for Public Hearing served, as required within S.C. Code Ann. § 38-3-170 (Supp. 2004), by the State of South Carolina Department of Insurance upon Larry G. Ballard by both certified mail, return receipt requested, and by regular mail on December 17, 2014.

That order informed Larry G. Ballard of his right to request a public hearing upon the allegations of impropriety contained within the order against him. The letter further warned that his failure to make a timely, written request would result in my summary revocation of his license to do business as a resident insurance producer and bail bondsman within the State of South Carolina. **Despite that warning, Larry G. Ballard has failed to respond adequately to the Department's letter, as detailed in the attached Affidavit of Default.**

After careful review of the evidence presented, I find as follows:

FINDING OF FACT

1. Larry G. Ballard is currently a South Carolina resident producer and surety bondsman. Producer's issued resident license number is 153788.
2. In the State of South Carolina, Larry G. Ballard submitted forged/counterfeit Powers of Attorney (POA) involving Defendants Donald Wayne Johnson and Salvatore Maniche
3. Larry G. Ballard failed to respond to the Notice of Investigation dated July 28, 2014.

CONCLUSIONS OF LAW

1. S.C. Code § 38-2-10 (2) of the South Carolina Code provides:

If the violator is a person, other than an insurer or a health maintenance organization, licensed by the director or his designee in this State, the director or his designee shall (a) fine the person in an amount not to exceed two thousand five hundred dollars, or (b)

suspend or revoke the license of the person, or both. If the violation is wilful, the director or his designee shall (a) fine the person in an amount not to exceed five thousand dollars, or (b) suspend or revoke the license of the person, or both.

2. S.C. Code § 38-43-130 (A) (C) (8) of the South Carolina Code provides:

- (A) "The director or his designee may place on probation, revoke, or suspend a producer's license after ten days' notice or refuse to issue or reissue a license when it appears that a producer has been convicted of a crime involving moral turpitude, has violated this title or any regulation promulgated by the department, or has willfully deceived or dealt unjustly with the citizens of this State."
- (C) The words "deceived or dealt unjustly with the citizens of this State" include, but not limited to, action or inaction by the producer as follows:"
- (8) "Using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in this State or elsewhere;"

3. S.C. Code § 38-53-150 (A) (5) of the South Carolina Code provides:

- (A) "The Director or his designee may deny, suspend, revoke, or refuse to renew any license issued under this chapter for any of the following causes:" (5) "fraudulent or dishonest practices while conducting business as a licensee;"

This administrative disciplinary order is a public record subject to the disclosure requirements of the State of South Carolina's, *Freedom of Information Act*, S.C. Code Ann. §§ 30-4-10, *et seq.* (1991 and Supp. 2000). Nothing contained within this administrative disciplinary order should be construed to limit or to deprive any person of any private right of action under the law. Nothing contained within this administrative disciplinary order should be construed to limit, in any manner, the criminal jurisdiction of any law enforcement or judicial officer. Nothing contained within this administrative disciplinary order should be construed to limit the statutory duty of the Director of Insurance, exercised either directly or through the Department of Insurance, to "report to the Attorney General or other appropriate law enforcement officials criminal violations of the law relative to the business of insurance or the provisions of this title which he considers necessary to report." S.C. Code Ann. § 38-3-110(3) (Supp. 2004).

It is, therefore, ordered that the license of Larry G. Ballard to do business as a resident insurance producer and surety bondsman within the State of South Carolina be, and is hereby, revoked, and that no license issued through the State of South Carolina Department of Insurance is to be issued to him.

It is further ordered that a copy of this order shall be transmitted to the National Association of Insurance Commissioners for distribution to its current member states and to each insurer for which Larry G. Ballard is currently licensed, through the State of South Carolina Department of Insurance, as a resident insurance producer and surety bondsman within the State of South Carolina.

It is further ordered that a copy of this order shall be transmitted to the National Association of Insurance Commissioners for distribution to its current member states and to each insurer for which Larry G. Ballard is currently licensed, through the State of South Carolina Department of Insurance, as a resident insurance producer and surety bondsman within the State of South Carolina.

This order becomes effective as of the date of my signature below.


Raymond G. Farmer
Director of Insurance

February 3, 2015 at
Columbia, South Carolina